

EXHIBIT K

Exhibit 4-18 (pages)

1 STATE OF ILLINOIS)
) SS:
 2 COUNTY OF C O O K)

3 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 4 MUNICIPAL DEPARTMENT - FIRST MUNICIPAL DIVISION

5 THE PEOPLE OF THE STATE)
 OF ILLINOIS,)

6 Plaintiff,)

7 vs.) No. 14 MC1 194709

8 DAVID DEWAR,)

9 Defendant.) Br. 35

10
 11 REPORT OF PROCEEDINGS had at the hearing in
 12 the above-entitled cause before the HONORABLE JOSEPH
 13 SCONZA, Judge of said court, on the 25th day of March,
 14 2013.

15 PRESENT:

16 HONORABLE ANITA A. ALVAREZ,
 17 STATE'S ATTORNEY OF COOK COUNTY, by:
 MS. JOANNA PANICI,
 18 ASSISTANT STATE'S ATTORNEY,
 appeared on behalf of the People;

19 MR. LAWRENCE HEIFORTH,
 Attorney at law,
 20 appeared on behalf of the Defendant.

21
 22 Charita Chancellor
 Official Court Reporter
 23 License No. 084-002056
 24

1 THE CLERK: David Dewar.

2 THE COURT: The Defendant is here. He is
3 represented by a private attorney.

4 THE CLERK: William Hosey (phonetic).

5 THE COURT: We have Counsel.

6 MR. HEIFORTH: For the record Lawrence Heiforth on
7 behalf of David Dewar.

8 I am asking leave to file my appearance.

9 THE COURT: Leave to file your appearance is
10 granted.

11 State your name for the record?

12 THE DEFENDANT: David Dewar.

13 THE COURT: This is an assault case?

14 MR. HEIFORTH: That is correct.

15 MS. PANACI: Yes.

16 Judge, this is the first time up, and, Judge,
17 the State has spoken with the Defense Counsel, and we
18 have come to an agreement that this should be an
19 admonishment on the record. The Defendant and the
20 complaining witness are neighbors.

21 Because of where this incident occurred, we
22 will be asking that there be on the record a no unlawful
23 contact. There should be no further need to
24 unnecessarily interact with one another, and we will ask

1 that the CW be sworn in.

2 MR. HEIFORTH: Judge, could this be on both sides?

3 THE COURT: This is an apology?

4 MR. HEIFORTH: No, this is not.

5 THE COURT: What is the age difference of these two
6 parties?

7 MR. HEIFORTH: Twelve years (12).

8 MR. HOSEY: I am sixty-two (62).

9 THE DEFENDANT: I am forty-nine (49).

10 MS. PANACI: The complaining witness is at the son's
11 house taking care of his grandchildren and doing various
12 task.

13 THE COURT: So there is an apology?

14 MS. PANACI: At this point and time, your Honor,
15 that wasn't discussed.

16 THE COURT: He is 49. He wants to man up here. He
17 is getting a World Series break. He is getting the sun,
18 moon and stars, and he doesn't want to do anything for
19 it? What is the matter with saying I'm sorry? He
20 doesn't have to.

21 THE DEFENDANT: I am sorry for the misunderstanding.
22 Actually I apologized three times for that. I apologized
23 that the police had to come out for the incident, and we
24 were not able to work it out man-to-man as neighbors. It

1 was an argument.

2 THE COURT: That was nothing wrong with that.

3 THE DEFENDANT: That is why I felt we had to call
4 the police. I had to because of the alleged threat. I
5 had to call. I called the police 911 and called the
6 police.

7 MR. HEIFORTH: There is history dating several
8 years, and he has complaints against him and for the same
9 alleged thing, Judge.

10 MR. HOSEY: The only complaint he had was with my
11 son not with me.

12 THE DEFENDANT: Your Honor, I will say this
13 directly. I appreciate your time. My mom Shirley she is
14 the property owner. She had approached the complainant
15 beforehand and asked him about the snow even before this
16 occurred. Then she wasn't getting any type of response
17 and she asked me.

18 THE COURT: And it escalated?

19 Now let's try to stay out of the criminal
20 court. It will be nice if you folks can get alone. If
21 you can't, you can't.

22 MS. PANACI: Can we swear in the complaining
23 witness?
24

1 WILLIAM HOSEY,
2 called as a witness on behalf of the People of the State
3 of Illinois, after having been first duly sworn, was
4 examined and testified as follows:

5 DIRECT EXAMINATION

6 BY: MS. PANACI

7 Q Please state your name for the record?

8 A William Hosey (phonetic).

9 Q Are you the complaining witness against David
10 Dewar?

11 A Yes, I am.

12 Q And is this an assault case against Mr. Dewar?

13 A Yes.

14 Q Do you wish to proceed with the charges?

15 A Not really. I want to be left alone, me and my
16 family.

17 Q Is anybody forcing you to drop the charges?

18 A Nobody is forcing me. I don't like no
19 problems.

20 Q Have you been threatened to drop the charges?

21 A No, I have not.

22 Q Are you dropping the charges of your own
23 freewill?

24 A Yes, I am for peace.

1 MS. PANACI: Based on that, the State's motion will
2 be motion State SOL.

3 Again, Judge, as Mr. Hosey (phonetic) has
4 stated before the Court, he wants to be left alone. We
5 ask that you admonish both.

6 THE COURT: You are adults. Let's try to get along
7 okay.

8 Counsel, are you demanding trial?

9 MR. HEIFORTH: Yes, Judge.

10 THE COURT: That will be the order.

11 (Whereupon, these were all of the
12 proceedings taken.)
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1 STATE OF ILLINOIS)
2)
3 COUNTY OF C O O K)

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 MUNICIPAL DEPARTMENT-FIRST MUNICIPAL DIVISION

6 I, Charita Chancellor, an Official Court
7 Reporter for the Circuit Court of Cook County, Municipal
8 Department-First Municipal District, do hereby certify
9 that I reported in shorthand the proceedings had at the
10 hearing of the above-entitled cause; that I thereafter
11 caused the foregoing to be transcribed into typewriting,
12 which I hereby certify to be a true and accurate
13 transcript of the proceedings before the Honorable
14 JOSEPH SCONZA, Judge of said court.

15
16 
17 Official Court Reporter
18 License No. 084-002056
19
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21 Dated this 3rd day
22 of April, 2014.
23
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